UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/838,488	04/19/2001	Abhay Rajaram	24528.01300	8928

7590 08/05/2004	EXAMINER
John W. Carpenter	LAZARO, DAVID R
CROSBY, HEAFEY, ROCACH & MAY	

ART UNIT	PAPER NUMBER
2155	

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DATE MAILED: 08/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/838,488	RAJARAM ET AL.
	Examiner	Art Unit	
	David Lazaro	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 August 2001*.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *13 August 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-22 are pending in this Office Action.

Claim Objections

2.   Claim 9 is objected to because of the following informalities: "provide" should be

"provides". Appropriate correction is required.

3.   Claim 13 is objected to because of the following informalities: "provide" and

"include" should be "provides" and "includes". Appropriate correction is required.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5.   Claims 1-5, 7-11, 13-16 and 18-22 are rejected under 35 U.S.C. 102(e) as being

anticipated by U.S. 6,754,664 by Bush (Bush).

6.   With respect to Claim 1, Bush teaches a framework for a network management

device (Col. 4 lines 40-55), comprising: an object repository (Col. 6 lines 11-24) having

a set of at least one object class definition (Col. 6 lines 11-24 and Col. 1 lines 40-55),

each object class definition containing information needed to retrieve instances of an object (Col. 1 lines 55-67) defined by the corresponding object class definition (Col.8 lines 43-55) and configured to maintain data regarding at least one managed device network (Col. 6 lines 11-32); an object manager configured to retrieve at least one object class definition from the object repository (Col. 5 lines 54 - Col. 6 line 24) and initiate at least one class function of the retrieved objects to retrieve at least one class instance (Col. 9 lines 16-21); and an interface configured to retrieve data from the class instances and forward it to a user of the network management device (Col. 5 lines 27-36 and Col. 6 lines 62-66)

7.   With respect to Claim 2, Bush teaches all the limitations of Claim 1 and further teaches wherein said object repository is configured to accept provider plug-in modules configured to hold at least one of said object class definitions (Col. 8 lines 43-47 and Col. 17 lines 15-23).

8.   With respect to Claim 3, Bush teaches all the limitations of Claim 1 and further teaches wherein said interface is XML/HTTP interface (Col. 7 lines 43-50, Col.14 lines 1-11 and Col. 5 lines 27-36 - Note: Microsoft Internet Explorer is an integrated part of the Microsoft Management Console and would provide a XML/HTTP interface)With respect to Claim 4, Bush teaches all the limitations of Claim 3 and further teaches wherein said XML/HTTP interface is configured to provide the data regarding at least one managed device to a browser (Col. 7 lines 43-50, Col.14 lines 1-11 and Col. 5 lines 27-36 - Note: In addition to the explanation given for Claim 3, see also Col. 15 lines 43 -

Col. 16 line 24 which describes a general interface that can be considered a browser environment.)

9.   With respect to Claim 5, Bush teaches all the limitations of Claim 1 and further teaches wherein at least one of the object class definitions include a communication routine configured to retrieve data from a data store located on a network (Col. 9 lines 16-39).

10.   With respect to Claim 7, Bush teaches all the limitations of Claim 5 and further teaches wherein said data stare is a proxy that collects said data from a network device (Col. 5 lines 63-67 and Col. 7 lines 37-53).

11.   With respect to Claim 8, Bush teaches all the limitations of Claim 1 and further teaches wherein at least one of the object class definitions include a communication routine that uses any protocol to communicate with a network device to collect said data regarding at least one managed device on the network (Col. 7 lines 37-53).

12.   With respect to Claim 9, Bush teaches a module for use in an extensible network management device (Col. 6 lines 11-24), comprising: at least one class definition (Col. 6 lines 11-24), comprising, a data storage definition configured to hold data needed to evaluate at least one aspect of a device (Col. 6 lines 25-43); at least one routine configured to retrieve data for the data storage (Col. 9 lines 16-39); and at least one routine that provide access to the data storage for display by the extensible network management device (Col. 7 lines 27-36).

13.   With respect to Claim 10, Bush teaches all the limitations of Claim 9 and further

teaches wherein said module is a plug-in module (Col. 8 lines 43-48 and Col. 7 lines 27-

36).

14.   With respect to Claim 11, Bush teaches all the limitations of Claim 9 and further

teaches wherein said at least one routine configured to retrieve data includes a

communication protocol for communication with a proxy (Col. 9 lines 16-31 and Col. 7

lines 37-53).

15.   With respect to Claim 13, Bush teaches all the limitations of Claim 9 and further

teaches wherein said at least one routine that provide access include a communications

interface to a remote management device (Col. 5 lines 27-36 and Col. 6 lines 62-67).

16.   With respect to Claim 14, Bush teaches all the limitations of Claim 9 and further

teaches wherein said at least one routine that provides access includes an XML/HTTP

communications interface to a browser device (Col. 7 lines 43-50, Col.14 lines 1-11 and

Col. 5 lines 27-36 - Note: Microsoft Internet Explorer is an integrated part of the

Microsoft Management Console and would provide a XML/HTTP interface).

17.   With respect to Claim 15, Bush teaches a method of retrieving network

management information (Col. 1 lines 10-13) comprising the steps of: determining a set

of information needed for network management (Col. 9 lines 1-39); loading at least one

object having a class hierarchy and class routines capable of retrieving and maintaining

the needed network management (Col. 1 lines 40-59) data into an object manager (Col.

5 lines 54-67); invoking class routines for retrieving an instance of an object (Col. 9 lines

16-39); and forwarding the needed management data to a user (Col. 5 lines 27-36 and Col. 6 lines 62-66).

18.   With respect to Claim 16, Bush teaches all the limitations of Claim 15 and further teaches wherein said step of invoking class routines for retrieving comprises the steps of calling a set of framework provided mechanisms for communicating with a proxy to retrieve the network management data (Col. 9 lines 16-39 and Col. 7 lines 37-53).

19.   With respect to Claim 18, Bush teaches all the limitations of Claim 15 and further teaches wherein said step of determining includes the step of receiving a request for a set of at least one object (Col. 9 lines 1-39).

20.   With respect to Claim 19, Bush teaches all the limitations of Claim 15 and further teaches said method is embodied in a set of computer instructions stored on a computer readable media; said computer instructions, when loaded into a computer, cause the computer to perform the steps of said method (Col. 3 lines 6-23 and Col. 33 lines 15-23).

21.   With respect to Claim 20, Bush teaches all the limitations of Claim 19 and further teaches wherein said computer instructions are compiled computer instructions stored as an executable program on said computer readable media (Col. 3 lines 6-23 and Col. 33 lines 15-23).

22.   With respect to Claim 21, Bush teaches all the limitations of Claim 19 and further teaches wherein said computer instructions are compiled computer instructions stored as an interpretable program on said computer readable media (Col. 3 lines 6-23 and Col. 33 lines 15-23).

23.   With respect to Claim 22, Bush teaches all the limitations of Claim 15 and further

teaches wherein said method is embodied in a set of computer readable instructions

stored in an electronic signal (Col. 3 lines 6-23 and Col. 33 lines 15-23).

Claim Rejections - 35 USC § 103

24.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

25.   Claims 6, 12 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Bush in view of "IIOP: Internet Inter-ORB protocol" by Ramesh Panuganty

(Panuganty).

26.   With respect to Claim 6, Bush teaches all the limitations of Claim 5 but does not

explicitly disclose the use of IIOP communication protocol. Panuganty teaches the use

of IIOP in directing requests to an object instance when dealing with Object Request

Brokers (Page 2, The working of IIOP). It would have been obvious to one of ordinary

skill in the art at the time the invention was made to take the framework disclosed by

Bush and modify it as indicated by Panuganty such that said communications routine

includes an IIOP communication protocol. One would be motivated to have this as IIOP

as its flexibility, scalability and simplicity makes it easy to use and implement (Page 7,

last paragraph of Panuganty).

27. With respect to Claim 12, Bush teaches all the limitations of Claim 11 but does not explicitly disclose the use of IIOP communication protocol. Panuganty teaches the use of IIOP in directing requests to an object instance when dealing with Object Request Brokers (Page 2, The working of IIOP). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the framework disclosed by Bush and modify it as indicated by Panuganty such that said communication protocol is an IIOP protocol. One would be motivated to have this as IIOP as its flexibility, scalability and simplicity makes it easy to use and implement (Page 7, last paragraph of Panuganty).

28. With respect to Claim 17, Bush teaches all the limitations of Claim 16 but does not explicitly disclose the use of IIOP communication programs. Panuganty teaches the use of IIOP in directing requests to an object instance when dealing with Object Request Brokers (Page 2, The working of IIOP). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the framework disclosed by Bush and modify it as indicated by Panuganty such that said framework provided mechanisms comprises a set of IIOP communication programs. One would be motivated to have this as IIOP as its flexibility, scalability and simplicity makes it easy to use and implement (Page 7, last paragraph of Panuganty).

Conclusion

29. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

30.   U.S. Patent 6,356,931 by Ismael et al. "Method and system for remotely browsing objects" March 12, 2002. Discloses the ability to remotely access objects such as beans through the use of a browser and a machine page.

31.   U.S. Patent 6,519,638 by Forman et al. "Object-oriented framework for the generic collection of system data" February 11, 2003. Discloses a single interface that can access a collection of different data types for a system. Includes an object-oriented data collector that can be easily extended by adding additional data collectors.

32.   Ivens, Kathy "The Mighty Win2k Microsoft Management Console, Part 2". October 2000. Article #15529 from www.winnetmag.com/Articles. Discloses features of MMC including Internet Explorer as part of the framework.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lazaro whose telephone number is 703-305-4868. The examiner can normally be reached on 8:30-5:00 M-F.
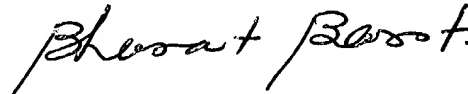
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 703-308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

David Lazaro
July 28, 2004

BHARAT BAROT
PRIMARY EXAMINER